

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Cr. No. 16-20291

v.

Hon. Nancy G. Edmunds

ISAAC JAMES HARGROVE,

Defendant.

**FOURTH SUPPLEMENTAL BRIEF AND EXHIBIT IN SUPPORT OF
ISAAC HARGROVE'S MOTION FOR COMPASSIONATE RELEASE**

Isaac Hargrove, through counsel, files this supplemental brief to alert the court about the rapidly changing and concerning conditions at FCI Hazelton, where Mr. Hargrove is incarcerated. In the past two weeks, the number of positive COVID-19 cases has increased significantly:

Date	COVID-19 Positive Incarcerated People	COVID-19 Positive Staff	Recovered Incarcerated People	Recovered Staff
12/22/2020 ¹	30	7	9	20
12/21/2020 ²	29	8	7	19

¹ Fed. Bureau of Prisons, *COVID-19 Cases*, <https://www.bop.gov/coronavirus/> (last visited Dec. 22, 202).

² Ex. M includes screenshots of the BOP's daily updates about the number of cases at each facility.

Date	COVID-19 Positive Incarcerated People	COVID-19 Positive Staff	Recovered Incarcerated People	Recovered Staff
12/18/2020	24	5	7	19
12/17/2020	24	5	7	19
12/16/2020	21	7	6	17
12/15/2020	17	8	6	16
12/11/2020	4	6	6	16
12/10/2020	4	6	6	16
12/9/2020	2	6	6	16
12/8/2020	3	4	5	16

There are 53 people awaiting test results.³

The disturbingly quick uptick in the number of positive cases at FCI Hazelton is concerning—particularly for Mr. Hargrove who has numerous, serious conditions that put him at risk of severe illness, hospitalization, or death.

The BOP has been unable to contain the spread of the novel coronavirus. In the last two weeks, 21 people in BOP custody have died.⁴ On December 19, 2020, a man only two years older than Mr. Hargrove died because of complications caused by COVID-19. Like Mr. Hargrove, he was serving a lengthy sentence for a non-violent

³ Fed. Bureau of Prisons, *COVID-19 Test Information*, <https://www.bop.gov/coronavirus/> (last visited Dec. 22, 2020).

⁴ Fed. Bureau of Prisons, *Press Releases*, https://www.bop.gov/resources/press_release.s.jsp (last visited Dec. 22, 2020).

drug offense. His health declined rapidly after the positive test result. He was pronounced dead 17 days after he tested positive for the virus.⁵ Neither Mr. Bennett nor Mr. Hargrove were sentenced to death.

CONCLUSION

Mr. Hargrove's motion for compassionate release should be granted.

Respectfully Submitted,

FEDERAL COMMUNITY DEFENDER

s/ Colleen P. Fitzharris
Attorney for Isaac Hargrove
613 Abbott Street, Ste. 500
Detroit, Michigan 48226
313-967-5868
E-mail: colleen_fitzharris@fd.org

Date: December 23, 2020

⁵ Fed. Bureau of Prisons, Press Release: Inmate Death at FCI Memphis, https://www.bop.gov/resources/news/pdfs/20201221_press_release_mem_bennett.pdf (last visited Dec. 22, 200).

CERTIFICATE OF SERVICE

Counsel certifies that on the above date, the foregoing paper was filed with the clerk of the Court using the ECF system, which will send notification to opposing counsel.

Respectfully Submitted,

FEDERAL COMMUNITY DEFENDER

s/ Colleen P. Fitzharris

Attorney for Isaac Hargrove

613 Abbott Street, Suite 500

Detroit, Michigan 48226

313-967-5868

E-mail: colleen_fitzharris@fd.org

Date: December 23, 2020